

REMARKS

Claims 1-19 are pending in this application with claims 1, 2, 6, 9 and 12 being amended and claims 14-19 being added by this response. Claims 1, 6 and 9 have been amended to clarify that the menu of selections of cell arrangements includes predetermined fixed cell arrangements. Support for this amendment is provided throughout the specification and specifically in Figures 17 and 18 and the corresponding description in the specification. Claim 2 has been amended to be directed to a certain feature of the invention. Support for the amendments to claim 2 is provided in Figures 17 and 18 and the corresponding description in the specification. Claim 12 has been amended to correct a typographical error. Applicant respectfully submits that because the amendments were corrections of typographical errors, no new subject matter has been added by these amendments. Support for new claims 14-16 is provided throughout the specification and specifically in Figures 17 and 18 and the corresponding description in the specification as well as on Page 8, lines 15-30 and Page 9, lines 17-31. Support for new claims 17 and 18 is provided throughout the specification and specifically in Figures 17 and 18 and the corresponding description in the specification. Support for new claim 19 is provided in Figures 17 and 18 and the corresponding description in the specification.

Rejection of Claims 1, 2, 4, 5 and 6-8 under 35 U.S.C. § 102(e)

Claims 1, 2, 4, 5 and 6-8 are rejected under 35 U.S.C. §102(e) as being anticipated by Gauthier et al. (U.S. Patent Application No. 2002/0036662).

The present invention recites a method in a computer system for presenting under the control of a user a display of information. The method includes receiving instructions from the user to select a tabular format. In response to receiving instructions from the user to select the tabular format, the user a menu of data selections is displayed. Each data selection provides a respective one of a plurality of predetermined, fixed user selectable cell arrangements for display in tabular format.

The dimensions of a selected cell within a selected cell arrangement are adjustable to permit display of a data selection within the selected cell. Independent Claims 1 and 6 each include similar limitations to those discussed above and thus are arguments apply to each of these claims.

Gauthier et al. describe a method for allowing a user to “graphically create a refreshable Web Query by selecting tabular data displayed in a Web page.” The Office Action fundamentally misunderstands and misinterprets both the claims of the present invention as well as Gauthier et al. The Office Action asserts that Gauthier et al., in Figure 10 shows the claimed “displaying to the user a menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements for display in a tabular format”. Contrary to the assertion of the Office Action, Figure 10 and the corresponding text disclose “tabular data 1025, of which a subset 1030 has been selected to be imported into a MICROSOFT EXCEL 2002 worksheet as a Web query using a pointing device 1035.” Alternatively, “the entire tabular data 1020 might also be selected to be pasted into the MICROSOFT EXCEL 2002 worksheet.” This figure merely shows selection of data from a table in a web page. The office action is correct in stating “each row [of cells] is a cell arrangement.” However, each row of cells forms the same cell arrangement. The Office Action then somehow leaps to the conclusion then that if data entered within cells in a row differs, then inherently the cell arrangement of each row differs. Applicant completely disagrees with this conclusion and submits that Gauthier et al. neither disclose nor suggest providing “a menu of data selections, each data selection providing a respective one of a **plurality of predetermined, fixed user selectable cell arrangements**, for display in a tabular format” as in the present claimed invention.

According to The Merriam-Webster OnLine Dictionary a “cell” is defined as “a unit in a statistical array (as a spreadsheet) formed by the intersection of a column and a row” and an “arrangement” is defined as “the state of being arranged”. The term “arrange” is defined as “to put into a deliberate order or relation; dispose.” According to the universally accepted definitions of the terms “cell” and “arrangement”, the menu

of data selections of the present claimed invention provides a plurality of cells in a state of being put into a deliberate order or relation. The claimed “cell arrangement” thus has no relation to the data input into particular cells as asserted in the Office Action. Furthermore, Gauthier et al. while providing a number of selectable menus neither discloses nor suggests a “menu of a plurality of user selectable cell arrangements.” In Gauthier et al. the user is always provided with the same single uniform cell arrangement or grid which may be manipulated. This is clearly unlike the “displaying to the user a menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements” as in the present claimed invention.

Additionally, the Office Action responds to the Applicant’s previously submitted arguments stating, that “there are a plurality of different cell arrangements dependent upon the selections in Figure 10” in Gauthier et al. However, Figure 10, as discussed, neither discloses nor suggests “a menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements” as in the present claimed invention. The claimed menu is clearly shown in Figures 17 and 18 of the present specification and such is neither disclosed nor suggested in Gauthier et al. The assertions made in the Office Action relate to the selection of a desired amount of data from a web page and pasting that information into a spreadsheet. This is wholly unlike the present claimed invention. The selected data is then pasted into a standard conventional spreadsheet. Nowhere is “**a menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements**” even suggested. Additionally, MICROSOFT EXCEL, similarly to Gauthier et al. neither discloses nor suggests providing neither discloses nor suggests “a menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements” as in the present claimed invention. EXCEL only provides a single conventional spreadsheet each time a file is opened.

Applicant fails to understand or see the relevance of the statement that “Figure 5 further shows an example of only one row selected. The more rows selected, the more rows will be needed for the cell arrangements” in the Examiner’s Response to Arguments. Figure 5 only illustrates a single row and neither discloses nor suggests the claimed “menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements.”

Regarding claim 6, the Office Action contends that Figure 4, ref. 340 of Gauthier et al. shows “selecting one of the predefined tables” and Figure 5 shows “displaying the user selectable cell arrangement defined by the predefined table; of the present claimed invention. Figure 4 shows a screen display of a New Web Query window in MICROSOFT EXCEL 2002 including data in a table selected from a web page. And ref. 340 of Figure 4 indicates “click to select this table.” The table of Figure 4 neither shows nor suggests “an image set of predefined tables … each having a plurality of cells in a respective one of a plurality of predetermined, fixed user selectable cell arrangements” and thus cannot show “selecting one of the predefined tables” as in the present claimed invention. Rather, Figure 4 shows a single table from a web page pre-populated with data that, when a cursor is positioned over the icon may be selected for import into the MICROSOFT EXCEL spreadsheet of Figure 5 (see page 4, paragraph [0028]). This is wholly unlike the present invention as claimed in claim 6.

In view of the above remarks and amendments to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Gauthier et al. showing the above discussed features of Claims 1 and 6.

In view of the above remarks and amendments to claim 1, it is respectfully submitted that independent claims 1 and 6 are not anticipated by Gauthier et al. As claims 2, 4, and 5 are dependent on claim 1 and claims 7 and 8 are dependent on claim 6, it is respectfully submitted that these claims are also not anticipated by Gauthier et al. It is further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claim 3 under 35 USC§ 103(a)

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gauthier et al. (U.S. Patent 5,809,266) and further in view of Kumagi (U.S. Patent No. 5,812,983).

Kumagi discloses a method for integrating and displaying medical data in which a computer program links a flow sheet of a medical record to medial charts. The program determines the position of a cursor in the flow sheet, and interpolates or erases data in cells of the flow sheet as appropriate. However, similarly to Gauthier et al., Kumagi neither disclose nor suggest “displaying to the user a menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements for display in tabular format” as claimed in claim 1 of the present invention. Kumagi is concerned with interpolating or erasing data in the cells of the flow sheet as appropriate. This is unlike the present claimed invention which is concerned with providing a plurality of a user selectable cell arrangements.

The applicant respectfully submits that there is no reason or motivation to combine Gauthier et al. with Kumagi. Gauthier et al. disclose a system that allows a user to graphically create a refreshable Web Query by selecting tabular data displayed in a Web page and obtaining refreshable data from a Web page to import into a spreadsheet program. Kumagi disclose a system concerned with interpolating or erasing data in the cells of the flow sheet as appropriate. Gauthier et al. and Kumagi are directed towards two completely different objectives and provide dissimilar solutions to meet their individual objectives and thus it is respectfully submitted that the combination of these references to produce the present claimed invention would not be obvious.

Even if there was a motivation to combine these two references, the combination of the system by Gauthier et al. with the system disclosed by Kumagi as suggested in the Rejection results in a system data imported from a web page can be

interpolated or erased as appropriate. The combination of Gauthier et al. and Kumagi neither disclose nor suggest, “a method in a computer system for presenting under the control of a user a display of information... displaying to the user a menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements for display in tabular format” as in the present claimed invention.

In view of the above remarks and the remarks concerning Independent claim 1, it is respectfully submitted that Gauthier et al. and Kumagi when taken alone or in combination provide no 35 USC 112 compliant enabling disclosure showing the features claimed in claim 1. As claim 3 is dependent on claim 1, it is respectfully submitted that claim 3 is patentable for the same reasons as claim 1 discussed above. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 9-13 under 35 USC § 103(a)

Claims 9-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gauthier et al. (U.S. Patent No. 5,809,266) and further in view of Smith et al. (U.S. Patent No. 6,188,407).

The present invention as claimed in claim 9 provides a computerized method of displaying medical data. The method includes obtaining at least a first and second stream of real time medical data and selecting a table from a menu of tables in the menu including multiple cells in a respective one of a plurality of predetermined, fixed user selectable cell arrangements. The selected table having multiple cells is displayed. A manual pointing device is manipulated to select a first cell within the table and the first data stream is inserted into the first cell. The manual pointing device is manipulated to select a second cell within the table and the second data stream is inserted into the second cell.

As discussed above, Gauthier et al. neither discloses nor suggests “a **menu of tables**, each table in said menu including multiple cells in a respective one of a **plurality of predetermined, fixed user selectable cell arrangements**” as in the present claimed invention.

As also discussed above regarding the rejection of independent claims 1 and 6, according to The Merriam-Webster OnLine Dictionary a “cell” is defined as “a unit in a statistical array (as a spreadsheet) formed by the intersection of a column and a row” and an “arrangement” is defined as “the state of being arranged”. The term “arrange” is defined as “to put into a deliberate order or relation; dispose.” According to the universally accepted definitions of the terms “cell” and “arrangement”, the menu of data selections of the present claimed invention provides a plurality of cells in a state of being put into a deliberate order or relation. A cell arrangement thus has no relation to the data input into particular cells as asserted in the Office Action. Furthermore, Gauthier et al. while providing a number of selectable menus neither discloses nor suggests a “menu … of a plurality of predetermined, fixed user selectable cell arrangements.” Although Gauthier et al. does disclose the use of menus, none of the menus include the claimed “menu… of a plurality of predetermined, fixed user selectable cell arrangements.” In Gauthier et al. the user is always provided with the same single uniform cell arrangement or grid which may be manipulated. This is clearly unlike the “**menu of tables, each table in said menu including multiple cells in a respective one of a plurality of predetermined, fixed user selectable cell arrangements**” as in the present claimed invention. In addition, based upon the definition of the term “cell arrangement”, contrary to the assertions made in the Office Action, a “plurality of predetermined, fixed user selectable cell arrangements” could not possibly include the possibility of defining different cell arrangements based upon the data contained within the cells of a row. Additionally, MICROSOFT EXCEL, similarly to Gauthier et al. neither discloses nor suggests providing neither discloses nor suggests “a menu of data selections, each data selection providing a respective one of a plurality of predetermined, fixed user selectable cell arrangements” as in the present

claimed invention. EXCEL only provides a single conventional spreadsheet each time a file is opened.

Contrary to the assertion in the Office Action, Gauthier et al. in Figures 4, 5, 10 and 11 neither disclose nor suggest “selecting a table from a menu of tables, each table in said menu including multiple cells in a respective one of a plurality of predetermined, fixed user selectable cell arrangements” as in the present claimed invention. Rather, Gauthier et al. in Figure 10 shows a web page wherein “tabular data 1025, of which a subset 1030 has been selected to be imported into a MICROSOFT EXCEL 2002 worksheet as a Web query using a pointing device 1035.” Alternatively, “the entire tabular data 1020 might also be selected to be pasted into the MICROSOFT EXCEL 2002 worksheet.” And Figure 11 of Gauthier et al. shows the data selected from the web page imported into a MICROSOFT EXCEL 2002 worksheet. Figure 4 of Gauthier et al. merely shows a screen display of a New Web Query window in MICROSOFT EXCEL 2002 including data in a table selected from a web page. Additionally, Figure 5 of Gauthier et al. shows the data from Figure 4 in a MICROSOFT EXCEL 2002 worksheet. None of these figures in Gauthier et al. disclose or suggest the claimed “menu including multiple cells in a respective one of a plurality of predetermined, fixed user selectable cell arrangements” as in the present claimed invention, shown for example as tables 22 – 28 in Figure 18 of the present claimed invention.

Smith et al. disclose a reconfigurable user interface for a modular patient monitor. The interface recognizes when new parameters are added or removed, automatically reconfigures the display and updates the menu selection options. However, similarly to Gauthier et al., Smith et al. neither disclose nor suggest “selecting a table from a menu of tables, each table in said menu including multiple cells in a respective one of a plurality of predetermined, fixed user selectable cell arrangements” as claimed in claim 9 of the present invention. Smith et al. are concerned with automatically reconfiguring a display upon addition or removal of data. This is unlike the present claimed invention which provides for “selecting a table from

a menu of tables, each table in said menu including multiple cells in a respective one of a plurality of predetermined, fixed user selectable cell arrangements.”

Additionally, contrary to the assertions of the Examiner, Smith et al. neither disclose nor suggest “obtaining at least a first and second stream of real time medical data” as claimed in claim 9 of the present claimed invention. Rather, all that is shown in Figure 2, ref. 24 and the corresponding text of Smith et al. is a display screen including an illustration of the menu field, flash box, alarms message field, waveform field, vital signs field, and help line.

The applicant respectfully submits that there is no reason or motivation to combine Gauthier et al. with Smith et al. Gauthier et al. disclose a method and system for creating refreshable web queries from tabular data displayed on a web page. Smith et al. disclose a system for automatically updating a previously generated display upon addition and deletion of data. While both Gauthier et al. and Smith et al. involve data, these references are responsive to different problems and thus it is respectfully submitted that the combination of these references to produce the present claimed invention would not be obvious. Gauthier et al. involves making the creation of a “Web Query simpler and more intuitive for the average user” (page 2 [0009]). Smith et al., on the other hand, provides “a reconfigurable user interface for a modular patient monitor which automatically adapts to a new configuration of parameter modules and parameters and displays the new parameters to the operator in a new display configuration” (page 2, lines 4-8).

Even if there was a motivation to combine these two references, the combination of the method and system of Gauthier et al. with the system disclosed by Smith et al. as suggested in the Rejection results in a method for automatically refreshing web queries when tabular data was added or deleted from the web page where the data was imported from. The combination of Gauthier et al. and Smith et al., neither discloses nor suggests “obtaining at least a first and second stream of real time medical data; selecting a table from a menu of tables, each table in said menu including

multiple cells in a respective one of a plurality of predetermined, fixed user selectable cell arrangements" as in the present claimed invention.

In view of the above remarks and amendments to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Gauthier et al. or Smith et al. showing the above discussed features. It is thus further respectfully submitted that independent claim 9 is a method claim patentable over Gauthier et al. and Smith et al. when taken alone or in combination. As claims 10-13 are dependent on claim 9 it is respectfully submitted that these claims are also allowable. It is thus, further respectfully submitted that this rejection is satisfied and should be withdrawn.

New claims 14, 15 and 16 are similar in scope and are dependent on independent claims 1, 6 and 9, respectively. Thus, these claims are patentable for the same reasons discussed above concerning claims 1, 6 and 9. Additionally, none of the cited prior art discloses or suggests that "at least one of said plurality of predetermined, fixed user selectable cell arrangements includes a varying number of rows for each column in said cell arrangement as claimed in claims 14-16.

New claims 17 and 18 are similar in scope and are dependent on independent claims 1 and 6, respectively. Thus, these claims are patentable for the same reasons discussed above concerning claims 1 and 6. Additionally, none of the cited prior art discloses or suggests that "activity of adjusting dimensions adjusts only the width of cells in a single row of a cell arrangement having a plurality of rows" as claimed in claims 17 and 18.

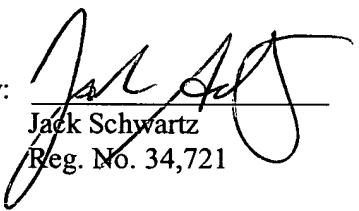
Claim 19 is dependent on independent claim 1. Thus, this claim is patentable for the same reasons discussed above concerning claim 1. Additionally, none of the cited prior art discloses or suggests that the "plurality of predetermined, fixed user selectable cell arrangements include an arrangement having a first column with a first number of rows and a second column with a different second number of rows" as claimed in claim 19.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 50-2828.

Respectfully submitted,
William Buresh et al.

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cel

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antipodal[2,noun]

apoptosis

basal cell

Go

Main Entry: **cell**

Pronunciation: 'sel

Function: *noun*Etymology: Middle English, from Old English, religious house and Old French *celle* hermit's cell, from Latin *cella* small room; akin to Latin *celare* to conceal -- more at [HELL](#)

1 : a small religious house dependent on a monastery or convent

2 a : a one-room dwelling occupied by a solitary person (as a hermit) b : a single room (as in a convent or prison) usually for one person

3 : a small compartment, cavity, or bounded space: as a : one of the compartments of a honeycomb b : a membranous area bounded by veins in the wing of an insect

4 : a small usually microscopic mass of protoplasm bounded externally by a semipermeable membrane, usually including one or more nuclei and various other organelles with their products, capable alone or interacting with other cells of performing all the fundamental functions of life, and forming the smallest structural unit of living matter capable of functioning independently

5 a (1) : a receptacle (as a cup or jar) containing electrodes and an electrolyte either for generating electricity by chemical action or for use in electrolysis (2) : [FUEL CELL](#)

b : a single unit in a device for converting radiant energy into electrical energy or for varying the intensity of an



cell

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electrical current in accordance with radiation
6 : a unit in a statistical array (as a spreadsheet) formed by the intersection of a column and a row
7 : the basic and usually smallest unit of an organization or movement <a Communist *cell*>
8 : a portion of the atmosphere that behaves as a unit
9 : any of the small sections of a geographic area of a cellular telephone system
[cell illustration]

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arrangement

Main Entry: ar·range·ment

Pronunciation: &-'rAnj-m&nt

Function: noun

1 **a** : the state of being arranged : **ORDER** <everything in neat *arrangement*> **b** : the act of arranging <the *arrangement* of the details was quickly accomplished>
2 : something arranged : as **a** : a preliminary measure : **PREPARATION** <travel *arrangements*> **b** : an adaptation of a musical composition by rescored **c** : an informal agreement or settlement especially on personal, social, or political matters <*arrangements* under the new regime>
3 : something made by arranging parts or things together <a floral *arrangement*>

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One entry found for **arrange**.

Main Entry: **ar·range** 

Pronunciation: &-'rAnj

Function: *verb*

Inflected Form(s): **-ranged; -rang·ing**

Etymology: Middle English *arangen*, from Middle French *arangier*, from Old French, from *a-* + *rengier* to set in a row, from *reng* row -- more at RANK
transitive senses

1 : to make preparations for : PLAN <*arranged* a reception for the visitor>

2 : to put into a proper order or into a correct or suitable sequence, relationship, or adjustment <*arrange* flowers in a vase> <*arrange* cards alphabetically>

3 a : to adapt (a musical composition) by scoring for voices or instruments other than those for which orig. written b : ORCHESTRATE

4 : to bring about an agreement or understanding concerning : SETTLE <*arrange* an exchange of war prisoners>
intransitive senses

1 : to bring about an agreement or understanding <*arranged* to have a table at the restaurant>

2 : to make preparations : PLAN <*arranged* for a vacation with his family>

synonym see ORDER

- ar·rang·er  /&-'rAn-ж&r/ *noun*

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